

CORRECTED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention or design entitled "**METHOD AND SYSTEM FOR COLLOID EXCHANGE THERAPY**" the specification of which was filed on May 15, 2001 as Application Serial No. 09/858,210; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Number</u>	<u>Country</u>	<u>Date Filed</u>	<u>Priority Claimed (Yes) (No)</u>
None			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

ATTORNEY DOCKET NO.  
067062.0118

PATENT

2

Application  
Serial Number

Date  
Filed

Status

NONE

I hereby claim the benefit under Title 35, United States Code, § 119(e) of U.S. provisional application serial number 60/230,106 filed September 5, 2000, which claims the benefit of U.S. provisional application serial number 60/204,398 filed May 16, 2000.

I hereby appoint:



31625

PATENT TRADEMARK OFFICE

Practitioners at Customer Number 31625,

all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Baker Botts L.L.P.  
98 San Jacinto Blvd., Suite 1500  
Austin, Texas 78701  
Customer Number: 31625

Direct Telephone Calls To:

Thomas R. Felger  
at (512) 322-2599  
Atty. Docket No. 067062.0118

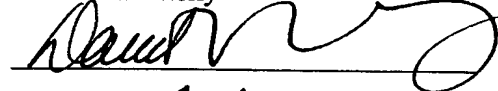
I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Title: **METHOD AND SYSTEM FOR COLLOID EXCHANGE THERAPY**

Full name of first inventor

David Radunsky

Inventor's Signature



Date

21 Feb 03

Residence (City, County, State)

Dallas, Dallas County, Texas

Citizenship

United States of America

Post Office Address

12015 Excelsior Way  
Dallas, Texas 75230

---

Full name of second inventor

James R. Matson

Inventor's Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Residence (City, County, State)

Dallas, Dallas County, Texas

Citizenship

United States of America

Post Office Address

6530 Clearhaven Circle  
Dallas, Texas 75248

---

Full name of third inventor

Patrice A. Lee

Inventor's Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Residence (City, County, State)

Erie, Boulder County, Colorado

Citizenship

United States of America

Post Office Address

91 Autumn Court  
Erie, CO 80516

---

ATTORNEY DOCKET NO.  
067062.0118

PATENT

3

Title: **METHOD AND SYSTEM FOR COLLOID EXCHANGE THERAPY**

Full name of first inventor David Radunsky

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence (City, County, State) Dallas, Dallas County, Texas

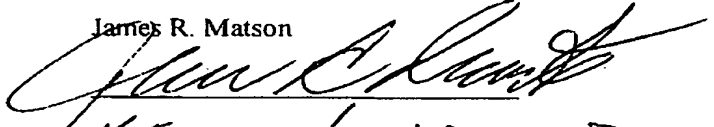
Citizenship

United States of America  
12015 Excelsior Way  
Dallas, Texas 75230

Post Office Address

Full name of second inventor

James R. Matson

Inventor's Signature 

Date

*March 10, 2003*

Residence (City, County, State) Dallas, Dallas County, Texas

Citizenship

United States of America  
6530 Clearhaven Circle  
Dallas, Texas 75248

Post Office Address

Full name of third inventor

Patrice A. Lee

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence (City, County, State) Erie, Boulder County, Colorado

Citizenship

United States of America  
91 Autumn Court  
Erie, CO 80516

Post Office Address

CORRECTED DECLARATION AND POWER OF ATTORNEY

3

Title: **METHOD AND SYSTEM FOR COLLOID EXCHANGE THERAPY**  
Application Serial No. 09/858,210

Full name of second inventor

James R. Matson

Inventor's Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Residence (City, County, State)

Dallas, Dallas County, Texas

Citizenship

United States of America  
6530 Clearhaven Circle  
Dallas, Texas 75248

Post Office Address

---

Full name of third inventor

Patrice A. Lee

Inventor's Signature

  
\_\_\_\_\_

Date

2/28/03  
\_\_\_\_\_

Residence (City, County, State)

Weld  
Erie, ~~Boulder~~ County, Colorado  
Pa

Citizenship

United States of America

Post Office Address

~~91 Autumn Court~~ Pa 215 Piper Drive  
Erie, CO 80516

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067562.0118  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

AUGUST 06, 2001

PTAS



\*101726443A\*

BAKER BOTTS L.L.P.  
THOMAS R. FELGER  
800 TRAMMELL CROW BUILDING  
2001 ROSS AVENUE  
DALLAS, TEXAS 75201-2980

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/15/2001

REEL/FRAME: 011815/0104  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
RADUNSKY, DAVID

DOC DATE: 05/09/2001

ASSIGNOR:  
MATSON, JAMES R.

DOC DATE: 05/09/2001

ASSIGNOR:  
LEE, PATRICE A.

DOC DATE: 05/09/2001

ASSIGNEE:  
IMMUNOCEPT, L.L.C.  
1800 10TH STREET, SUITE 300  
PLANO, TEXAS 75074

SERIAL NUMBER: 09858210  
PATENT NUMBER:

FILING DATE: 05/15/2001  
ISSUE DATE:

011815/0104 PAGE 2

DOROTHY BASMA, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

05-23-2001

FORM PTO-1595  
1-31-92U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of I

101726443

Attached original documents or copy thereof.

## 1. Name and Address of Conveying Party(ies):

David Radunsky  
12015 Excelsior Way  
Dallas, Texas 75230

5-15-01

☐ Individual/Citizenship: USA

Additional name(s) of conveying party(ies) attached?

☒ Yes ☐ No

## 3. Nature of conveyance:

☒

Assignment

☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date:

1st, 2nd and 3rd named inventors: May 9, 2001

## 2. Name and Address of receiving Party(ies):

Name: Immunocept, L.L.C.

Internal Address:

09/858,210

Street Address: 1800 10th Street, Suite 300

City: Plano

State: Texas

Zip: 75074

State of Incorporation: Texas

Additional name(s) & address(es)  
attached?☐ Yes☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: May 15, 2001

A. Patent Application No.(s)

B. Patent No.(s)

Additional Numbers attached?

☐ Yes☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas R. Felger

Internal Address: BAKER BOTTS L.L.P.

Street Address: 800 Trammell Crow Building  
2001 Ross Avenue

City: Dallas

State: Texas

Zip: 75201-2980

## 6. Total number of applications and patents involved: 1

## 7. Total Fee (37 CFR 3.41): \$ 40.00

☒

Enclosed

☒

If there are additional fees, authorized to be charged to deposit account

## 8. Deposit account number: 02-0384

(Attach Duplicate Copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas R. Felger

Name of Person Signing

Signature

Date

May 15, 2001

Total number of pages including cover sheet

4

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information:

Commissioner of Patent and Trademarks

Box Assignments

Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503.

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U.S. Patent and Trademark Office

Recordation Form Cover Sheet - Form PTO-1595 (01/31/92)

Patents Only

Page 2

Attorney's Docket: 067062.0118

Section 1 -Name of Conveying Parties

Additional Name (Individual)

James R. Matson  
6530 Clearhaven Circle  
Dallas, Texas 75248  
Citizenship: USA

Additional Name (Individual)

Patrice A. Lee  
91 Autumn Court  
Erie, Colorado 80516  
Citizenship: USA

**ASSIGNMENT**

**WHEREAS**, We, the undersigned joint inventors, of residence as listed, have invented certain new and useful improvements as below entitled, for which application for United States Letters Patent is made, said application having been executed on the date set forth below; and

**WHEREAS**, Immunocept, L.L.C. a Texas corporation (hereinafter referred to as "Assignee"), with an address of 1800 10th Street, Suite 300, Plano, Texas 75074, desires to acquire my entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

**NOW, THEREFORE**, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we assign to Assignee, all right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all provisionals, divisions, reissues, continuations, continuations-in-part and extensions thereof; and we authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as my interest is concerned, to Assignee.

We also assign to Assignee, all right, title and interest in and to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world, including all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee.

We will communicate to Assignee any facts known to me respecting any improvements; and, at the expense of Assignee, We will testify in any legal proceedings, sign all lawful papers, execute all provisionals, divisional, continuation, continuation-in-part, reissue and substitute applications, make lawful oaths and declarations, and generally do everything possible to vest title in Assignee and to aid Assignee to obtain and enforce proper protection for said invention in all countries.

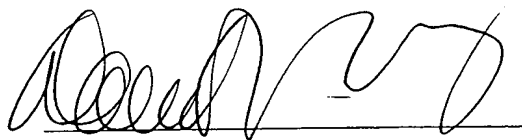
This Assignment shall be binding on the parties' successors, assigns and legal representatives.

2

Title of Invention:

METHOD AND SYSTEM FOR  
COLLOID EXCHANGE THERAPY

Signature of Joint Inventor:



Inventor's Name:

David Radunsky

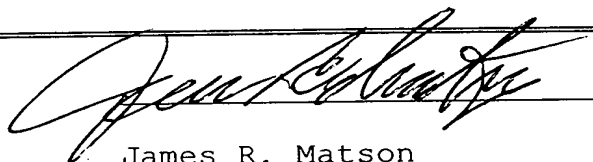
Residence (City, County, State): Dallas, Dallas County, Texas

Date:

9 May 2001

---

Signature of Joint Inventor:



Inventor's Name:

James R. Matson

Residence (City, County, State): Dallas, Dallas County, Texas

Date:

9 May 2001

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Signature of Joint Inventor:

\_\_\_\_\_

Inventor's Name:

Patrice A. Lee

Residence (City, County, State): Erie, Boulder County,  
Colorado

Date:

\_\_\_\_\_

Title of Invention:

METHOD AND SYSTEM FOR  
COLLOID EXCHANGE THERAPY

Signature of Joint Inventor: \_\_\_\_\_

Inventor's Name:

David Radunsky

Residence (City, County, State): Dallas, Dallas County, Texas

Date: \_\_\_\_\_

---

Signature of Joint Inventor: \_\_\_\_\_

Inventor's Name:

James R. Matson

Residence (City, County, State): Dallas, Dallas County, Texas

Date: \_\_\_\_\_

---

Signature of Joint Inventor: \_\_\_\_\_

Inventor's Name:

Patrice A. Lee

Residence (City, County, State): Erie, Boulder County,  
Colorado

Date: \_\_\_\_\_

9/14/01